

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

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MARVIN H. MAURRAS REVOCABLE :  
TRUST, Derivatively and on :  
Behalf of ACCRETIVE HEALTH, INC., :  
 :  
Plaintiff, :  
 :  
 :  
vs. :  
 :  
EDGAR M. BRONFMAN, JR., J. MICHAEL :  
CLINE, STEVEN N. KAPLAN, STANLEY :  
N. LOGAN, DENIS J. NAYDEN, GEORGE :  
P. SCHULTZ, ARTHUR H. SPIEGEL, III, :  
MARY A. TOLAN, MARK A. WOLFSON, :  
 :  
Defendants, :  
 :  
and :  
 :  
ACCRETIVE HEALTH, INC., :  
 :  
Nominal Defendant. :

**CASE NUMBER: 12-cv-03395**

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(caption continued on the next page)

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YONGQIAN ZHAO, Derivatively on :  
Behalf of ACCRETIVE HEALTH, INC., :  
 :  
 :  
Plaintiff, :  
 :  
 :  
vs. : **CASE NUMBER: 12-cv-06019**  
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 :  
MARY A. TOLAN, J. MICHAEL CLINE, :  
EDGAR M. BRONFMAN, JR., STEVEN N. :  
KAPLAN, STANLEY N. LOGAN, DENIS J. :  
NAYDEN, ARTHUR H. SPIEGEL, III, :  
and MARK A. WOLFSON, :  
 :  
 :  
Defendants, :  
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 :  
and :  
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ACCRETIVE HEALTH, INC., :  
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Nominal Defendant. :  
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**NOTICE OF PLAINTIFFS' POSITION REGARDING CONSOLIDATION**

Pursuant to the Court's Order of October 25, 2012 (No. 12-cv-03395, Dkt. No. 65) (the "Order"), Co-Lead Plaintiffs Marvin H. Maurras Revocable Trust ("Maurras Trust"), Susan Chagnon ("Chagnon") and Yongqian Zhao ("Zhao," collectively, "Plaintiffs") hereby file this Notice of Plaintiffs' Position Concerning Consolidation of the above-captioned actions and state as follows:

1. On October 2, 2012, the parties appeared before the Court for a status and motion hearing. During the hearing, Maurras Trust and Chagnon informed the Court of an intention to file a consolidated amended complaint, superseding the current operative complaint filed by the Maurras Trust.

2. Upon questioning from the Court, Zhao indicated a willingness to enter into discussions with the Maurras Trust and Chagnon over joining in a single consolidated amended complaint, superseding the current operative complaint filed by Zhao and mooted Zhao's motion for consolidation and appointment of lead plaintiff and lead counsel filed on August 8, 2012.

3. Defendants expressed no objection to the proposed consolidation.

4. The Court continued the hearing until October 10, 2012, and directed the parties to continue discussions with the aim of agreeing to a leadership structure and a briefing schedule for the filing of a consolidated amended complaint. The Court indicated that if an agreement were to be reached, the status hearing would be removed from the calendar.

5. Subsequent to the hearing, and pursuant to the direction of the Court, Plaintiffs conferred and agreed to a leadership structure and to jointly file a consolidated amended complaint, superseding all previously filed complaints.

6. In light of this agreement, the Plaintiffs filed an Unopposed Motion for Entry of Leadership Structure Order (No. 12-cv-03395, Dkt. No. 62) on October 19, 2012.

7. The Court issued the Order on October 25, 2012, approving Plaintiffs' proposed leadership structure and requesting that the parties inform the Court in a filed pleading whether they would like the Court (1) to dismiss without prejudice the Zhao Action, No. 12-cv-06019, or (2) to consolidate the Zhao Action with the Maurras Action, No. 12-cv-03395.

8. The Plaintiffs hereby respectfully request that the Court order the consolidation of the Zhao Action with the Maurras Action.

Dated: November 1, 2012

Respectfully submitted,

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By: /s/ Donald Sawyer

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**CERTIFICATE OF SERVICE**

The foregoing Notice of Plaintiffs' Position Concerning Consolidation was filed this 1st day of November, 2012, via this Court's CM/ECF electronic filing system, which will send notices of this electronic filing to all parties registered to receive such notice. Those not registered for electronic notice will be served via regular U.S. Mail.

/s/ Donald Sawyer

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